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ATTORNEY DOCKET NO: 67206RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BIGAZZI
Serial No : 09/606,569
Confirm. No. : 7698
Filed : June 29, 2000
For : USE OF RELAXIN...
Art Unit : 1647
Examiner : Regina M. DeBerry
Dated : April 23, 2002

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

REJECTION OVER A PRIOR PATENT

Sir:

The owner, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No.5,952,296. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee,

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its successors or assigns

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted in the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted
for Applicant,

By


John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE

The statutory fee for a disclaimer is \$55.00 (for small entity) ~~\$110.00~~ (for large entity)

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REGISTERED PATENT ATTORNEY

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